

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

ALLAN HARDY,

Civil No. 08-6033 JMR/AJB

Petitioner,

v.

O R D E R

DEPARTMENT OF CORRECTIONS,

Respondent.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Arthur J. Boylan dated November 18, 2008, all the files and records, and no objections having been filed to said Recommendation,

IT IS HEREBY ORDERED that:

1. Petitioner's application to proceed in forma pauperis, (Docket No. 2), is **DENIED**;
2. Petitioner's application for a writ of habeas corpus, (Docket No. 1), is

SUMMARILY DENIED;

3. This action is **DISMISSED WITH PREJUDICE**.

DATED: December 5, 2008.

s/James M. Rosenbaum
Judge James M. Rosenbaum
U. S. District Court